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JUN 7 - 2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES

MISSOURI LAND RECLAMATION COMMISSION
SPRINGFIELD, MO 65102-0176

P.O. BOX 176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL Brown Sand & Gravel Inc. (Delta Co. Inc. is parent company)		DATE 06-03-04	
ADDRESS PO Box 880	CITY Cape Girardeau	STATE MO	ZIP CODE 63702
CONTACT PERSON Steve Lewis Manager, Mining Division		TELEPHONE NUMBER 573-334-5261	

CHECK ANY THAT APPLY:

☒ New Permit ☐ Permit Amendment ☐ Permit Revision ☐ Permit Expansion

SITE NAME OR NUMBER	ACREAGE	LOCATION:
		COUNTY, SECTION, TOWNSHIP, RANGE (EAST OR WEST)
1. Catherine Quarry	92.00	Madison County, Section 1 & 2
2.		Twp 33N
3.		Range 6E
4.		
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ATTACH ADDITIONAL SHEETS IF NECESSARY

SIGNATURE OF APPLICANT <i>Richard C. Neubert</i>	TITLE President	DATE 6-03-04
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Appeared before me this 3rd day of June, 20 04, Richard C. Neubert
to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSE	STATE Missouri	COUNTY (OR CITY OF ST. LOUIS) Cape Girardeau
	SUBSCRIBED AND SWORN BEFORE ME, THIS 3rd DAY OF June YEAR 2004	
	NOTARY PUBLIC SIGNATURE <i>Sharon A. Johnson</i>	MY COMMISSION EXPIRES 2-22-08
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Sharon A. Johnson	

SHARON A. JOHNSON
Notary Public - Notary Seal
STATE OF MISSOURI
CAPE GIRARDEAU COUNTY
MY COMMISSION EXP. FEB. 22, 2008

FOR DEPARTMENT USE ONLY: APPROVED BY	DATE APPROVED	PERMIT NUMBER 0944	EXPIRATION DATE
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MAY 28 2004

MISSOURI LAND RECLAMATION COMMISSION P.O. BOX 176
JAMESON CITY, MO 65102-0176

MO 780-1007 (12-02)

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MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION

MISSOURI LAND RECLAMATION COMMISSION
JEFFERSON CITY, MO 65102-0176
P.O. BOX 176

Complete this form for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER Catherine Quarry		PERMIT NUMBER 0944 to be issued
COMPANY Brown Sand & Gravel Inc.		
COUNTY Madison	1/4 SECTION NE corner of NE 1/4 section	SECTION 1,2
TOWNSHIP 33N	RANGE 6E	ACRES 92 WS² CH 6-3-04 134.6
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) N/A		
MINERAL COMMODITY crushed dolomite		ESTIMATED TONS/YEAR (GRAVEL SITES)

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) Delta Asphalt		
ADDRESS PO Box 880		
CITY Cape Girardeau	STATE MO	ZIP CODE 63702-0880
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT Dec. 8, 1988
		<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) Delta Asphalt		
ADDRESS PO Box 880		
CITY Cape Girardeau	STATE MO	ZIP CODE 63702-0880
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT Dec 8, 1988
		<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.

Application for Mining Permit, Catherine Quarry, Madison County, Missouri

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Property Owner: Delta Asphalt Inc.

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Operator: Brown Sand and Gravel Inc

**MISSOURI LAND
RECLAMATION COMMISSION**

Continuing Authority: Delta Asphalt Inc and Brown Sand and Gravel Inc. are owned by Delta Companies Inc.

Location: Section 1, 2, Township 33N, Range 6 E, Madison County

Site Description:

The 134.6- acre property is owned by Delta Asphalt. Approximately 92 acres will be used within the mining operation for pit, processing area, stockpile areas, scale area, and truck load-out area.

According to available mine maps, a section of the abandoned Catherine lead mine lies approximately 75 to 158 feet below the surface in the northeast portion of the property. At one time ore processing facilities operated on northeast portion of the property. Several concrete structure foundations still remain at the site and will be removed as necessary.

The processing also left mine tailings, called chat, which were left in stockpiles on the northeast portion of the property. The mine tailings and small amount of development area encompassed approximately 20 acres of the property.

In 2003 U.S. EPA Region VII entered into an agreement with Delta Asphalt Inc. to construct a chat repository in this same northeast portion of the property, as part of a Superfund remediation project in Fredericktown.

EPA has been removing chat and contaminated soil from Fredericktown neighborhoods, trucking it to the site, and spreading it according to design in this designated area. The original chat stockpile area has been encompassed within the repository.

Once the repository is full, the EPA will cap the chat pile with soil excavated from a different portion of the property. The EPA has approved using this capped repository area for quarry stockpile area, rock processing, truck loading, and subsequent post-mining industrial use. The area is delineated on attached maps. No excavation will occur in this area.

Surface mining was also started in the past, prior to Delta Asphalt ownership, in the southeast corner of the property. A small water-filled pit remains. The proposed excavation will eventually encompass 67 acres.

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MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLAN

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

COMPANY NAME	MISSOURI LAND RECLAMATION COMMISSION
Brown Sand and Gravel, Catherine Quarry	
TYPE OF PLAN (CHECK ONE):	
<input type="checkbox"/> SHORT TERM, FOR ONE PERMIT YEAR	
<input checked="" type="checkbox"/> LONG TERM, FOR PERIOD THROUGH DATE: September 1, 2004 - September 1, 2045	
DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.	
<p>The site topography varies from nearly flat (where original surface had been altered from past site activity) to moderately steep. Except for past development areas, the site is wooded. Topsoil depth is approximately 12 inches.</p>	

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.	
A. TOPSOIL	
AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING	IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?
12 INCHES	<input type="checkbox"/> YES OR <input checked="" type="checkbox"/> NO
DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL	
<p>After the trees are cleared by dozer or excavator, the topsoil and 5-8" of subsoil will be moved with an excavator or dozer and hauled to soil storage pits with trucks. The topsoil storage area will be between the scale area and the overburden storage area.</p>	

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION
<p>The topsoil will be placed in this topsoil storage area which is located away from a natural drainage area. The piles will be seeded when necessary to prevent erosion.</p>

PERMIT NO. 0944	SITE NUMBER/NAME Catherine Quarry
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B. SPOIL

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

MISSOURI LAND
RECLAMATION COMMISSION

The spoil (overburden) will be handled by excavator, dozer and truck and deposited in the overburden stockpile area. It will be used to reclaim the overburden and topsoil storage areas and any haulroads not needed for post-mining uses.

Any excess spoil may also be sold for fill.

C. ACID MATERIALS

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

No acid materials are anticipated.

The preliminary Madison County Soil Survey for this area shows that the soil is derived from loess over clayey residuum from dolomite and limestone. These parent materials are not acidic.

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

See attached map. The final pit configuration will encompass approximately 67 acres.

YES NO

☐☒

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road?
(NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right-of-way, and in no case may the excavation be closer to the right-of-way than fifty feet or twenty-five feet plus one and one-half (1½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line?
(NOTE: If the answer is "YES", a safety barrier may be needed.)

PERMIT NO.

0944

SITE NUMBER/NAME

Catherine Quarry

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RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.MISSOURI LAND
RECLAMATION COMMISSION**A. REVEGETATION (Attach additional sheets, if needed)**

REVEGETATION MIX #1

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

see below

water impoundment, wildlife spring and fall

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Planting will be done after the subsoil and topsoil placement. A broadcast method of seeding will be used.

One or all of the seed and tree or shrub species listed below will be placed on the reclamation area. The mine operator will consult the MO Department of Conservation for seeding rate and recommendations.

Lime and fertilizer will be applied according to recommendations based upon soil test analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Orchard Grass Korean Lespedezia Ladino Clover Kobe Lespedeza Big & Little Bluestem Indian Grass Sercia Lespedeza	10-15 approx 10-15		

REVEGETATION MIX #2

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations based upon soil test analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Tall fescue Redtop grass Switch grass Partridge pea Sidcoats Gama Timothy Eastern Gama Grass Alfalfa			

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

PERMIT NO.

SITE NUMBER/NAME

Catherine Quarry

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

The mined-out quarry pit will be left as a water impoundment for wildlife. The former overburden and topsoil storage area will be graded to a gentle rolling slope for wildlife. The 20 acre former stockpile area and 1.5 acre scale area will be left level with a gravel base for a post-mining industrial use.

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C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES

GRADING

According to 10CSR40-10.050, grading will be done as the pit advances. Topsoil will be removed 10 feet ahead of overburden excavation.

REPLACEMENT OF TOPSOIL

Topsoil will be salvaged before the overburden is removed and placed in the storage area. During reclamation, the topsoil will be replaced to a uniform depth (12 inches when possible) and disced to reduce compaction.

REVEGETATION

The seed mixture options are described in Section A. The mine operator will apply any necessary soil amendments according to qualified soils lab recommendations. Also the operator will consult with the MO Department of Conservation on seeding rates.

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

12

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation	ESTIMATED ACRES:
Wildlife (forest or other habitat with livestock excluded)	3.5
Agricultural (pasture, cropland, and horticultural)	
Development (residential, industrial, and recreational)	21.5
Water impoundments (for wildlife, agriculture, or development)	67

PERMIT NO.

SITE NUMBER/NAME

Catherine Quarry

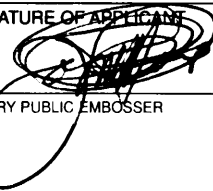
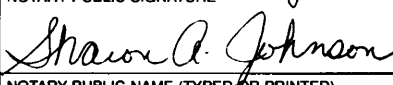
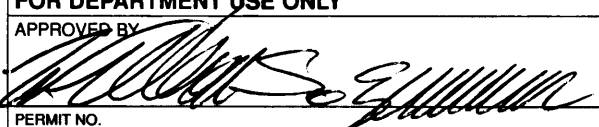
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By my signature, I attest to the following:

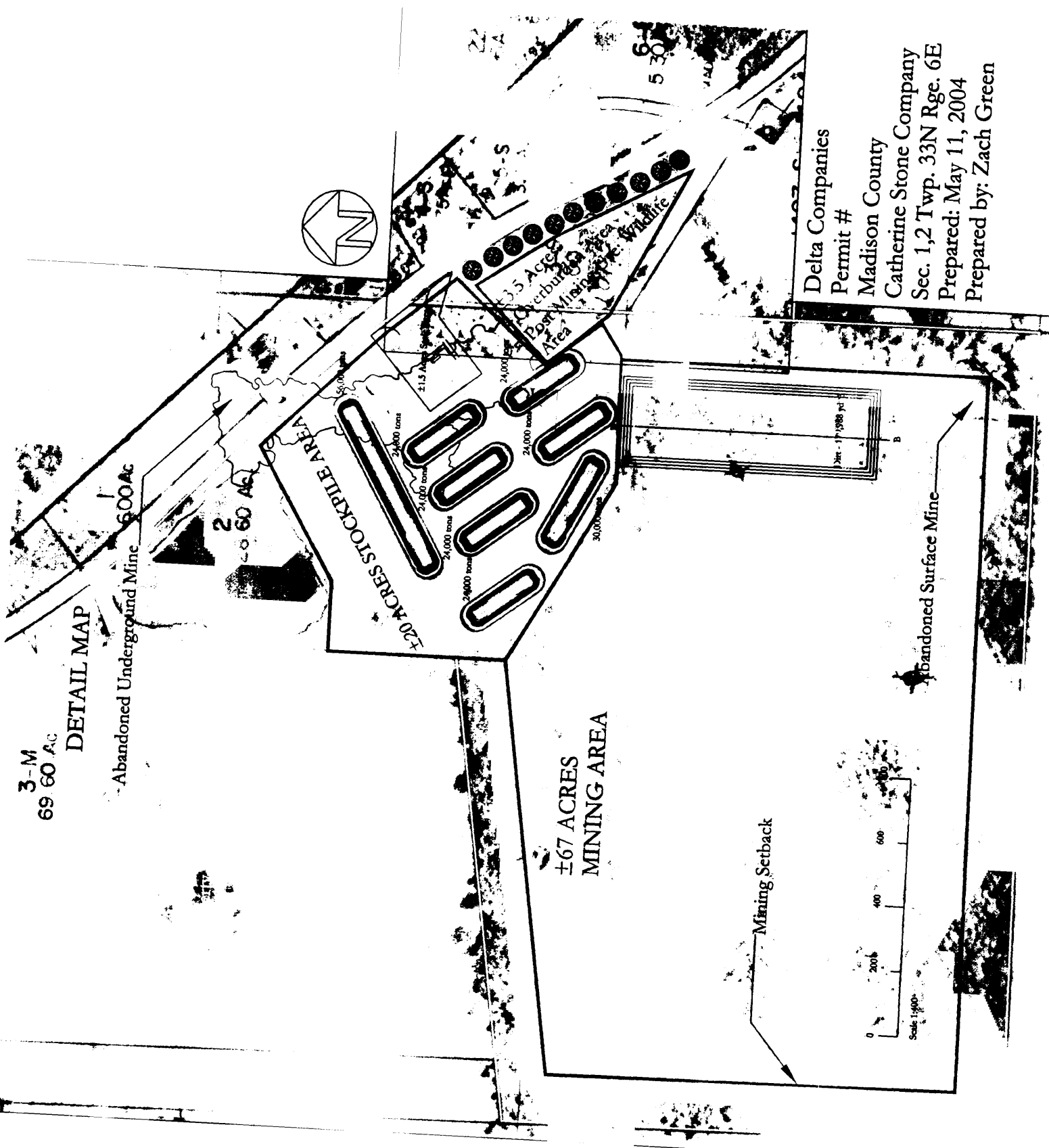
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1. All statements made on this Mine Plan Form are correct, complete and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.790, RSMo 2001, and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's (for all lease agreements made after August 28, 1990 on leased land) for all proposed post-mining land uses.
4. I have obtained the approval of all landowner's, (for all lease agreements made after August 28, 1990 on leased land) for all proposed seed mixtures.
5. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

SIGNATURE OF APPLICANT  John H. Skidmore		TITLE Vice President		DATE 5/25/04	
NOTARY PUBLIC EMBOSSEER <div style="border: 1px solid black; padding: 5px; text-align: center;"> NOT VALID UNLESS NOTARIZED </div>	STATE Missouri		COUNTY (OR CITY OF ST. LOUIS) Cape Girardeau		
	SUBSCRIBED AND SWORN BEFORE ME, THIS 25 DAY OF May YEAR 2004		USE RUBBER STAMP IN CLEAR AREA BELOW.		
	NOTARY PUBLIC SIGNATURE 	MY COMMISSION EXPIRES 2/22/08	<div style="border: 2px solid black; padding: 5px;"> SHARON A. JOHNSON Notary Public - Notary Seal STATE OF MISSOURI CAPE GIRARDEAU COUNTY MY COMMISSION EXP. FEB. 22, 2008 </div>		
	NOTARY PUBLIC NAME (TYPED, OR PRINTED) Sharon A. Johnson				
FOR DEPARTMENT USE ONLY					
APPROVED BY 		DATE APPROVED 6-3-04		PERMIT NUMBER 0944	
PERMIT NO.		SITE NUMBER/NAME Catherine Quarry			

MAY 28 2004

Catherine Stone Company
Sec. 1,2 Twp. 33N Rge. 6E
Prepared: May 11, 2004
Prepared by: Zach Green

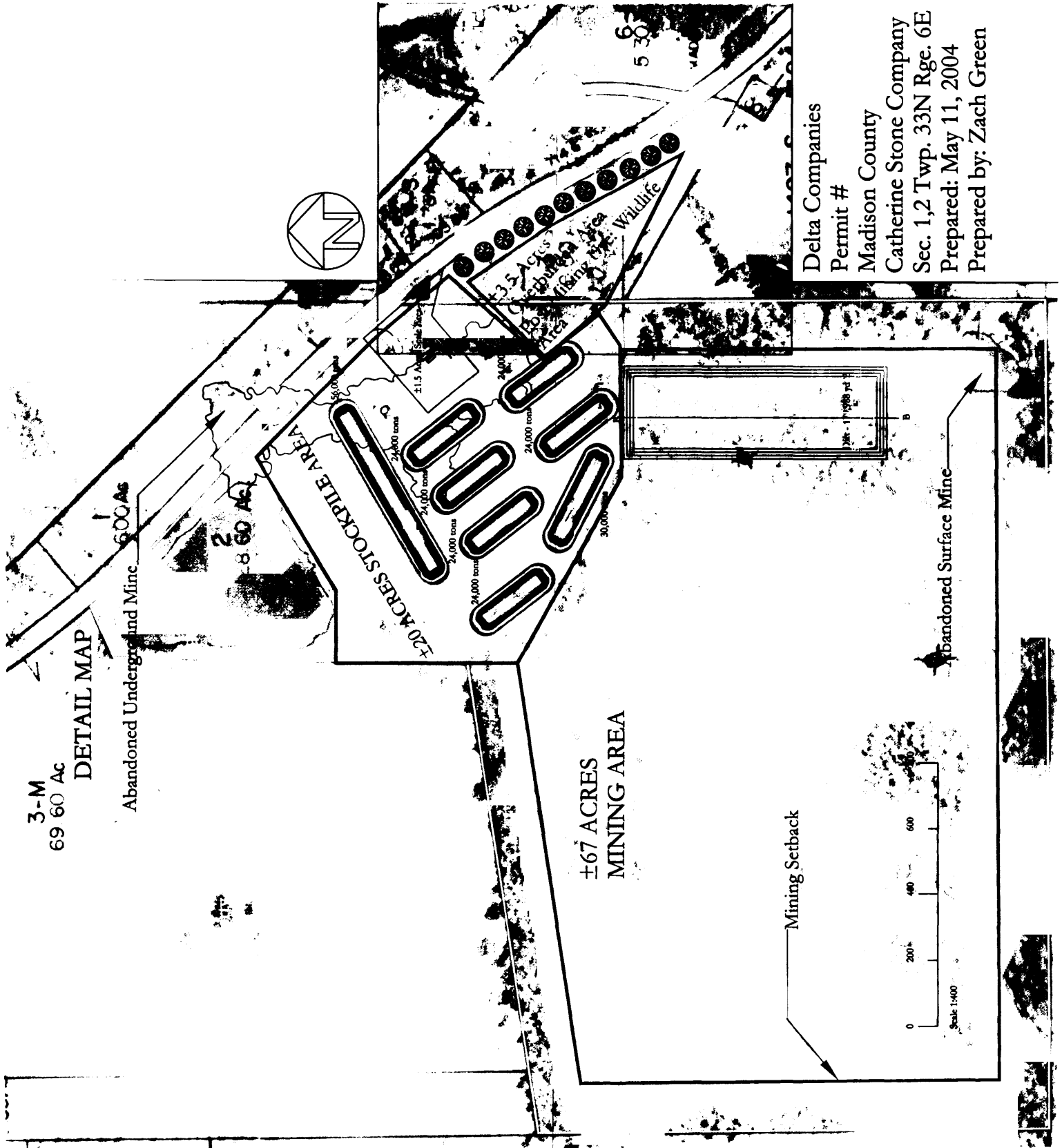


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Delta Companies
Permit #
Madison County
Catherine Stone Company
Sec. 1,2 Twp. 33N Rge. 6E
Prepared: May 11, 2004
Prepared by: Zach Green





OWNERSHIP MAP
MADISON COUNTY, MISSOURI
STATE TAX COMMISSION OF MISSOURI
MADISON COUNTY, TAX ASSESSOR
FOX & COLE CONSULTING ENGINEERS

[illegible]

MAP SHEET INDEX

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Brown Sand & Gravel
proposed Catherine Quarry
Property Line

SEC 128
MAP NO 79-06-011

[illegible]

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